

DEC 13 2004

Attorney Docket No. 60117.000007

Attorney Customer No. 21967

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:

Jens PETERSEN, et al.

Serial No.: 09/938,670

Filing Date: August 27, 2001

Title: POLYACRYLAMIDE HYDROGEL
AND ITS USE AS AN
ENDOPROSTHESIS

Group Art Unit: 3738

Examiner: David J. Isabella

Confirmation No.: 2509

MAILSTOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**PETITION FOR ONE-MONTH EXTENSION OF TIME,
STATEMENT OF SUBSTANCE OF INTERVIEW UNDER 37 C.F.R. § 1.133
AND AMENDMENT UNDER 37 C.F.R. § 1.111**

Sir:

PETITION

Applicants hereby petition for a one-month extension of time under 37 C.F.R. § 1.136(a) for responding to the U.S. Patent and Trademark Office (PTO) non-final Office Action mailed on August 11, 2004 in the above-captioned application (the Application). Accordingly, Applicants respectfully request that the time for response be extended up to and including December 11, 2004. The Commissioner is authorized to deduct the amount of \$120.00 from the undersigned's Deposit Account No. 50-0206 to cover the one-month extension of time fee.

RESPONSE

This Amendment is filed in response to a non-final Office Action dated August 11, 2004 in the Application and in view of the Examiner interview held on December 8, 2004.

Amendment to the claims are reflected in the listing of claims which begins on page 2 of this Amendment.

Remarks begin on page 5 of this Amendment.

PATENT APPLICATION FEE DETERMINATION RECORD
Effective October 1, 2000

Application or Docket Number

04/438,670
55320.00006

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS	40	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	110 minus 20 =	20
INDEPENDENT CLAIMS	9 minus 3 =	6
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

	(Column 1)	(Column 2)	(Column 3)
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	43	40	3
Independent	9	9	0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	FEE	RATE	FEE
BASIC FEE	355.00	BASIC FEE	710.00
X\$ 9=		X\$18=	360
X40=		X80=	480
+135=		+270=	0
TOTAL		TOTAL	1550

SMALL ENTITY

OR OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
X\$ 9=		X\$18=	5400
X40=		X80=	
+135=		+270=	
TOTAL ADDIT. FEE		TOTAL ADDIT. FEE	

6/2/04

	(Column 1)	(Column 2)	(Column 3)
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	43	43	-
Independent	7	9	-
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
X\$ 9=		X\$18=	
X40=		X80=	
+135=		+270=	
TOTAL ADDIT. FEE		TOTAL ADDIT. FEE	

12-1304

	(Column 1)	(Column 2)	(Column 3)
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	116	43	-
Independent	1	9	-
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
X\$ 9=		X\$18=	
X40=		X80=	
+135=		+270=	
TOTAL ADDIT. FEE		TOTAL ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" in THIS SPACE is less than 20, enter "20."
 *** If the "Highest Number Previously Paid For" in THIS SPACE is less than 3, enter "3."
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.